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09400HB3763ham001

LRB094 09099 BDD 43439 a

1 AMENDMENT TO HOUSE BILL 3763

2 AMENDMENT NO. _____. Amend House Bill 3763 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 18-177 as follows:

6 (35 ILCS 200/18-177)

7 Sec. 18-177. Leased low-rent housing abatement.

8 (a) In counties of 3,000,000 or more inhabitants, the
9 county clerk shall abate property taxes levied by any taxing
10 district under this Code on property that meets the following
11 requirements:

12 (1) The property does not qualify as exempt property
13 under Section 15-95 of this Code.

14 (2) The property is situated in a municipality with
15 1,000,000 or more inhabitants and improved with either a
16 multifamily dwelling or a multi-building development that
17 is subject to a leasing agreement, regulatory and operating
18 agreement, or other similar instrument with a Housing
19 Authority created under the Housing Authorities Act that
20 sets forth the terms for leasing low-rent housing.

21 (3) For a period of not less than 20 years, the
22 property and improvements are used solely for low-rent
23 housing and related uses.

24 Property and portions of property used or intended to be used

1 for commercial purposes are not eligible for the abatement
2 provided in this Section.

3 A housing authority created under the Housing Authorities
4 Act shall file annually with the county clerk for any property
5 eligible for an abatement under this Section, on a form
6 prescribed by the county clerk, a certificate of the property's
7 use during the immediately preceding year. The certificate
8 shall certify that the property or a portion of the property
9 meets the requirements of this Section and that the eligible
10 residential units have been inspected within the previous 90
11 days and meet or exceed all housing quality standards of the
12 authority. If only a portion of the property meets these
13 requirements, the certificate shall state the amount of that
14 portion as a percentage of the total equalized and assessed
15 value of the property. If the property is improved with an
16 eligible multifamily dwelling or multi-building development
17 containing residential units that are individually assessed,
18 then, except as provided in subsection (b), no more than 40% of
19 those residential units may be certified. If the property is
20 improved with an eligible multifamily dwelling or
21 multi-building development containing residential units that
22 are not individually assessed, then, except as provided in
23 subsection (b), the portion of the property certified shall
24 represent no more than 40% of those residential units.

25 The county clerk shall abate the taxes only if a
26 certificate of use has been timely filed for that year. If only
27 a portion of the property has been certified as eligible, the
28 county clerk shall abate the taxes in the percentage so
29 certified.

30 Whenever property receives an abatement under this
31 Section, the rental rate set under the lease, regulatory and
32 operating agreement, or other similar instrument for that
33 property shall not include property taxes.

34 No property shall be eligible for abatement under this

1 Section if the owner of the property has any outstanding and
2 overdue debts to the municipality in which the property is
3 situated.

4 (b) The percentage limitation on the certification of
5 residential units set forth in subsection (a) shall be deemed
6 to be satisfied in the case of developments described in
7 resolutions adopted by the Board of Commissioners of the
8 Chicago Housing Authority on September 19, 2000, December 17,
9 2002, or September 16, 2003, as amended, approving the
10 disposition of certain land and buildings on which all or a
11 portion of the developments are or will be situated, if no more
12 than 50% of the units in the development are so certified.

13 (Source: P.A. 92-621, eff. 7-11-02; revised 11-6-02.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."